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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 15 2002

Technology Center 2600

In Re Application of:

Max L. Musser, et al.

Confirmation No.: Confirmation No. 4570

Serial No.: 09/966,040

Group Art Unit: 2633

Filing Date: September 28, 2001

Examiner: Not Yet Assigned

For: **SYSTEM AND METHOD FOR AUTOMATED SOFTWARE DISTRIBUTION
IN A FIBER OPTIC NETWORK**

EXPRESS MAIL LABEL NO: EV 160 975 360 US

DATE OF DEPOSIT: Nov. 12, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

EV160975360US

Dear Sir:

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INFORMATION DISCLOSURE STATEMENT

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Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

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☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;
or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

EXCEPT THAT:

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- 3 -

PATENT

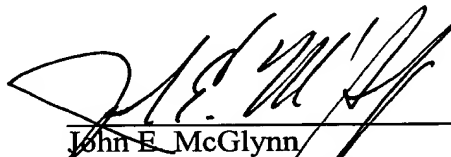
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date:

Nov. 12, 2002



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**Form PTO-1449 Modified**

List of Patent and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce
Patent and Trademark Office

Docket No.
BELL-0124/01118

Serial No.
09/966,040

Applicant
Max L. Musser, Et Al.

Filing Date
9/28/01

Group
2633

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	Marconi Manual , "Disc☆S FiberStar Element Management System," Job Aids, 363-257-252, Issue 2, May 2000
2	"Disc☆S FITL Ethernet Data Maintenance and Trouble Clearing," TIL-010, Marconi Proprietary Information, Issue A, undated Beta document (applicant is attempting to locate dated release version)
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